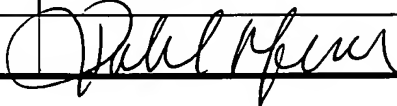


08-14-06

IFW #

| CERTIFICATE OF EXPRESS MAILING | | | |
|---|---|------|-----------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA on the date indicated below. | | | |
| Express Mail Label: EV 765 979 166 US | | | |
| Typed or print name | Rachel Mena | | |
| Signature |  | Date | August 10, 2006 |

PATENT

Attorney Docket No.: 39740-0008A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

| | | |
|--|---|---------------------------------|
| Inventor(s): Melody Cobleigh et al. |) | Confirmation No. 5600 |
| |) | |
| Application No.: 10/758,307 |) | Art Unit: 1634 |
| |) | |
| Filed: January 14, 2004 |) | Examiner: Jeanine Anne Goldberg |
| |) | |
| Title: Gene Expression markers for Breast Cancer |) | |
| Prognosis |) | |

INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. §1.97

08/16/2006 CNGUYEN 00000001 001641 10758307
01 FC:1006 100.00 DA

Mail Stop:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy is provided of each foreign patent, each cited pending unpublished U.S. application, and all additional publications other than U.S. patents and U.S. patent application publications. 37 C.F.R. §§1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of **\$180.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No.: 39740-0008A).

Respectfully submitted,

Dated: August 10, 2006

By: Leslie A. Mooi
Leslie A. Mooi (Reg. No. 37,047)

HELLER EHRMAN LLP
275 Middlefield Road
Menlo Park, California 94025-3506
Telephone: (650) 324-7000
Facsimile: (650) 324-0638



SHEET 1 OF 2

| INFORMATION DISCLOSURE STATEMENT PTO-1449 | | | ATTY. DOCKET NO. 39740-0008A | | SERIAL NO. 10/758,307 | |
|---|-----------------|----------|---------------------------------|-------|--------------------------|----------------|
| | | | APPLICANT: Melody Cobleigh | | | |
| | | | FILING DATE: 01/14/2004 | | GROUP: 1634 | |
| U.S. PATENT DOCUMENTS | | | | | | |
| EXAMINER'S INITIALS | PUBLICATION NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
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| | | | | | | |
| EXAMINER | | | DATE CONSIDERED | | | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| INFORMATION DISCLOSURE STATEMENT PTO-1449 | | | ATTY. DOCKET NO. | | SERIAL NO. | | | |
|--|-------------|---|----------------------------|-----------------|-------------|----------|-----------------------|--|
| | | | 39740-0008A | | 10/758,307 | | | |
| | | | APPLICANT: Melody Cobleigh | | | | | |
| | | | FILING DATE: 01/14/2004 | | GROUP: 1634 | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | | |
| Examiner Initials | Ref. No. | Date | Document No. | Name | Class | Subclass | Translation YES NO | |
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